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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/510,685

02/16/2005

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EXAMINER

HO, HUY C

ART UNIT

PAPER NUMBER

2617

NOTIFICATION DATE

DELIVERY MODE

09/01/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<b>Application No.</b> 10/510,685	<b>Applicant(s)</b> DUNAS ET AL.	
	<b>Examiner</b> HUY C. HO	<b>Art Unit</b> 2617	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 06 August 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: 1-25.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

/Patrick N. Edouard/  
Supervisory Patent Examiner, Art Unit 2617

/Huy C Ho/  
Examiner, Art Unit 2617

Continuation of 11. does NOT place the application in condition for allowance because: The argued features in pages 9-10, i.e., Lazaris-Brunner fails to disclose:

1. "monitoring stations for remote monitoring, measurement or data collection and for providing data, to respective computation centers" and "up-link data received by said satellite comprising a digital channel corresponding to a respective one of said computation centers." Giving the required weight to all of the claim terms, the term "respective" in particular, the present Application has monitoring stations and digital channels that correspond to a single computation center."
2. "an uplink comprising "a digital channel corresponding to a respective one of said computation centers"
3. "downlink adapter "adapted for extracting, from said down-link transmission, said digital channel corresponding only to the said respective computation center."

Referring to figure 2 in reference Lazaris-Brunner, Lazaris-Brunner teaches a multi-beam Direct Broadcast Satellite system DBS 10 with an on-board processor to receive multi beam uplinks from regional programming sources 20, or from a central hub 12. The programming sources generate programming signals in FDM signals in digital formats DVB and transmitted up to the digital satellite 10. The satellite 10 receives these multiplexed digital signals from programming sources 20 regionally or globally and broadcasts the programs to regions 22, 24, 26 and 28, e.g., receivers 16 receive digital programs respect to uplink programs sent by regional programming sources 20 earlier. The downlink beams F, G, H and I are FDM signals in digital DVB format standard (see Lazaris-Brunner, figure 2, column 6 lines 33-67, column 7 lines 1-67). In one particular situation, the digital uplink beam D may be mapped to the downlink beam F to receiver 16 in one region 22, but not all other regions (see Lazaris-Brunner, column 7 lines 32-54). The downlink receivers 16 are high tech receivers which can receive digital-formatted signals from DBS satellite 10 (see Lazaris-Brunner, figure 2, column 6 lines 33-67, column 7 lines 1-67).

As a result, Lazaris-Brunner discloses monitoring stations for remote monitoring, measurement or data collection and for providing data, to respective computation centers and up-link data received by said satellite comprising a digital channel corresponding to a respective one of said computation centers, an uplink comprising a digital channel corresponding to a respective one of said computation centers, downlink adapter adapted for extracting, from said down-link transmission, said digital channel corresponding only to the said respective computation center.

As such, the argued features were written such that they read upon reference Lazaris-Brunner..